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**Response To Notice of Incomplete Reply/Formalities Letter  
Box Missing Parts Application**

**Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.  
**IDD-5657 CIP2**

In Re Application Of: **Jane Werling et al.**

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PATENT & TRADEMARK OFFICE

Serial No. <b>10/035,821</b>	Filing Date <b>10/19/2001</b>	Examiner <b>Not yet assigned</b>	Group Art Unit <b>1615</b>
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**Invention: METHOD FOR PREPARING SUBMICRON SUSPENSIONS WITH POLYMORPH CONTROL**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

This is a response to the Notice of Incomplete Reply/Formalities Letter (PTO-1533) mailed on

January 30, 2002  
*Date*

Enclosed herewith for filing are the following:

- of Incomplete Reply**
- A copy of the Notice to Box Missing Parts Application (PTO-1533). (REQUIRED)
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- Other (list):

**Formal Drawings (12 sheets; 18 Figures);  
Replacement Specification with drawing figures removed (40 pgs);  
Marked-up Copy of Specification showing amendments and deletions (50 pgs);  
Return Receipt Postcard.**

06/11/2002 MBERNE 00000040 10035821

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**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Large Entity)**

Docket No.  
**IDD-5657 CIP2**

**In Re Application Of: Jane Werling et al.**

Serial No.	Filing Date	Examiner	Group Art Unit
10/035,821	10/19/2001	Not yet assigned	1615

**Invention: METHOD FOR PREPARING SUBMICRON SUSPENSIONS WITH POLYMORPH CONTROL**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

### Box Missing Parts

- Completion of application fees as calculated below:
  - Utility application filing fee \_\_\_\_\_
  - Design application filing fee \_\_\_\_\_
  - Total number of independent claims = \_\_\_\_\_
  - Total number of claims = \_\_\_\_\_
  - Multiple dependent claims \_\_\_\_\_
  - Surcharge for late payment of filing fee and/or late filing of original declaration or oath \_\_\_\_\_
  - Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_
  - Fee for processing an application filed with a non-English language specification \_\_\_\_\_
  - Fee for processing and retention of application \_\_\_\_\_

### Total completion of application fees

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month       Two months       Three months       Four months       Five months

from: March 30, 2002  
*Date*

until: May 30, 2002  
*Date*

Total time extension fees \$400.00

Total fees due \$400.00

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Large Entity)**

Docket No.  
**IDD-5657 CIP2**

In Re Application Of: **Jane Werling et al.**

Serial No.  
**10/035,821**

Filing Date  
**10/19/2001**

Examiner  
**Not yet assigned**

Group Art Unit  
**1615**

Invention: **METHOD FOR PREPARING SUBMICRON SUSPENSIONS WITH POLYMORPH CONTROL**

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

**Box Missing Parts**

The fee of **\$400.00** is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **02-1818**  
A duplicate copy of this sheet is enclosed.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **02-1818**  
A duplicate copy of this sheet is enclosed.

  
*Tin C. Yeung*  
*Signature*

Dated: **May 30, 2002**

**Tin C. Yeung, Reg. No. 40,240  
BELL, BOYD & LLOYD LLC  
P.O. Box 1135  
Chicago, IL 60690-1135  
(312) 807-4335**

I certify that this document and fee is being deposited on **May 30, 2002** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence*

**Robert J. Buccieri**

**Typed or Printed Name of Person Mailing Correspondence**

CC:

*ST 5*

# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/035,821	10/19/2001	Jane Werling	IDD-5657CIP2



Wallenstein & Wagner, Ltd.  
 53rd Floor  
 311 S. Wacker Drive  
 Chicago, IL 60606-6630

CONFIRMATION NO. 2470

## FORMALITIES LETTER



\*OC00000007958697\*

Date Mailed: 04/25/2002

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

### *Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 04/11/2002 to the Notice to File Missing Parts (Notice) mailed 01/30/2002 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- The specification contains drawings or flow diagrams (37 CFR 1.58(a)). Formal drawings in accordance with 37 CFR 1.81 should be submitted.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Atty Dkt. No: IDD-5657 CIP3  
BBL No.: 113957-236

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application Of:  
Jane Werling et al.

For: METHOD FOR PREPARING  
SUBMICRON PARTICLE  
SUSPENSIONS WITH POLYMORPH  
CONTROL

Serial No.: 10/035,821

Filed: October 19, 2001

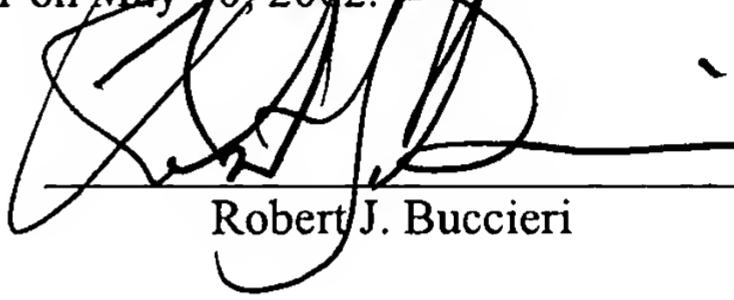
Examiner: Not yet assigned

Art Unit: 1615



CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Office with sufficient postage as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, D.C. 20231 on May 30, 2002.

  
Robert J. Buccieri

**REPLY TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)  
FORMALITIES LETTER MAILED APRIL 25, 2002**

BOX MISSING PARTS  
Commissioner for Patents  
Washington D.C., 20231

Sir:

This is a reply to the Notice of Incomplete Reply (Nonprovisional) / Formalities Letter mailed April 25, 2002, with a shortened statutory response period of two (2) months from the mailing date of the original Notice to File Missing Parts mailed January 30, 2002, extended two months by Petition filed herewith. Accordingly, this reply is timely filed. A check in the amount of \$400 is enclosed herewith in payment of the extension fee. The Commissioner is hereby authorized to charge any additional fees to Deposit Account number 02-1818.

Responsive to the Formalities Letter, Applicants hereby respectfully submit a replacement specification and separate formal drawings. Amendments made to the specification or claims (enumerated below) are either corrections of grammatical or typographical errors, or are text originally included as part of the now-removed drawing figures and inserted into the Brief Description of the Drawings. Other than these amendments, the replacement specification is identical to the specification as originally filed on October 19, 2001. For the Examiner's convenience, in addition to the Amendments below, a marked up copy of the specification as